

OCT 17 2006

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PATENT

**RESPONSE UNDER 37 C.F.R. 1.116 - EXPEDITED
PROCEDURE - EXAMINING GROUP 1638**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/782,096 Confirmation No.: 5854
Applicant(s): Carozzi et al.
Filed: February 19, 2004
Art Unit: 1638
Examiner: Anne R. Kubelik
Title: AXMI-009, A DELTA-ENDOTOXIN GENE AND METHODS FOR ITS USE

Docket No.: 045600/274148
Customer No.: 00826

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AFTER FINAL UNDER 37 CFR § 1.116

Sir:

In response to the Final Office Action dated August 15, 2006, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims beginning on page 2 of this paper.

Remarks begin on page 5 of this paper.

An **Appendix A, B, C, D, E and F** is attached following page 19 of this paper.